

REMARKS

Claims 1-9, 11-21, and 23-29 are pending.

Prior Rejections

Applicant notes and appreciates withdrawal of the previous rejections.

New Rejections

In the present Office Action, claims 1-2, 4, 7-9, 12-15, and 17-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over newly cited U.S Patent No. 6,446,136 (hereinafter “Pohlmann”), in view of U.S. Patent No. 6,598,169 (hereinafter “Warwick”).

In addition, claims 1, 5, 22-25 and 28-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,699,107 (hereinafter “Lawler”) in view of Pohlmann, further in view of Warwick.

Claims 3 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawler, in view of Pohlmann, in view of Warwick, and in view of U.S. Patent No. 6,108,695 (hereinafter “Chawla”).

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick and in view of U.S. Patent No. 6,636,901 (hereinafter “Sudhakaran”).

Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick in view of U.S. Patent Publication 2003/0159150.

Finally, claim 27 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawler, in view of Pohlmann, in view of Warwick and in view of Sudhakaran.

Applicant respectfully traverses the above rejections and requests reconsideration in view of the following discussion.

A prima facie case of obviousness of a claimed invention is not established unless all the claim limitations are taught or suggested by the cited prior art. Additionally, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Applicant submits that at least each of independent claims 1, 15 and 22 recite a combination of features neither disclosed nor suggested by the cited art.

For example, claim 1 recites various features including “an event broker configured to register a plurality of event bookings in response to requests from . . . clients”, one or more “event managers . . . configured to detect particular types of events”, and one or more “action handlers . . . configured to initiate particular types of actions.” In paragraph 3 of the Office Action, the examiner equates Polmann’s event correlator 413 (also 330) with the recited broker, the event manager 310 with the recited event managers, and the response engine 350 with the recited action handler. However, as discussed below, Applicant submits the suggested equivalences do not hold up upon further scrutiny.

For example, claim 1 recites the event broker is configured to register event bookings in response to requests from one or more clients. Given the equivalences suggested by the examiner, Pohlmann would have to disclose the event correlator (413, 330) as being configured to register event bookings in response to requests from clients. However, Pohlmann does not disclose such features. In contrast, Pohlmann discloses the event manager 310 is configured to receive subscription requests. For example, Pohlmann discloses:

"When a subscription is made for an event . . . a subscription request is sent to event manager 411 on node b 410. The event manager 411 receives the request and adds this request to its list of outstanding requests which may be stored, for example, in memory." (Pohlmann, col. 5, lines 39-44).

Accordingly, even if one were to equate a subscription request with an event booking, Pohlmann discloses the event manager receives such requests – and not the event correlator. Therefore, the suggested equivalence already fails.

Further, the disclosed subscription request is not equivalent to the recited event booking. Claim 1 recites "each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur." In the present Office Action, it is suggested that the above features are disclosed by Pohlmann at FIG. 4, Item 413, Col. 5, lines 3-26. Item 413 is disclosed by Pohlmann as an event correlator. The following is the text cited by the examiner:

"As shown in FIG. 4, the event manager 402 of node a 401 and the event manager 411 of node b 410 also receive event information from the event correlator 413 of node b 410. The event manager 411 of node b 410 also provides events to the event correlator 413 on node b. The event manager 411 also receives event information from point product 415, where events are actually occurring. Event manager 402, 411 maintains, for example, the events and their associated state and a list of subscriptions. Each event manager may have a local memory data store, e.g., a blackboard, where statefull [sic] events are stored. The blackboard may be kept persistent in a file based storage, for recovery of the information across generations (process invocation of the event manager). The clients subscribing to events are responsible for reestablishing the respective subscriptions across new invocations of the event manager. Accordingly, the subscriptions may be maintained in memory. The local event archive is maintained for all the events received by the event manager. The event management system of the present invention also may correlate events from multiple nodes. In an exemplary embodiment of the present invention, the event management system provides views of events consolidated to single management stations or in views/categories that cross node boundaries." (Pohlmann, col. 5, lines 3-26).

In addition to the above, Pohlmann discloses:

"When a subscription is made for an event such as, for example, an event occurring at a point product 415, a subscription request is sent to event manager 411 on node b 410. The event manager 411 receives the request and adds this request to its list of outstanding requests which may be stored, for example, in memory. The event manager 411 checks outstanding events previously stored, for example, in a blackboard, to see if it matches the request criteria. Each matching event is forwarded, e.g., published, to the requester, e.g., the subscriber of the event. Any new events which are received and match the subscription criteria are also forwarded. This may continue until the subscription is canceled." (Pohlmann, col. 5, lines 39-52).

Accordingly, Pohlmann discloses a system wherein the event manager 411 receives a subscription request for an event, and forwards matching events to the subscriber of the event. Therefore, Applicant does not find that Pohlmann discloses "a first request . . . for an event booking" which identifies (1) a first event which may occur in the future; and (2) a first action to be taken upon occurrence of said first event as recited. Neither does the remaining cited art disclose such features. For at least these additional reasons, each of the independent claims are patentably distinguishable from the combination of cited art.

In view of the above, Applicant submits the combination of cited references does not disclose all of the features of the claims. Further, Applicant submits one would not be motivated to modify Pohlmann as suggested by the examiner. In the present Office Action, the examiner admits that Pohlmann fails to disclose or suggest the features "wherein the first request includes a description of the first event using a syntax which is unintelligible to the event broker." Warwick is then cited as disclosing such features and it is stated that one would have been motivated to modify Pohlmann with the recited unintelligible request. However, Applicant disagrees. Pohlmann discloses "a need exists for an integrated system for providing tools that utilize a compatible interface without significantly sacrificing tool functionality. . . . An object of the present invention is providing an integrated system for monitoring events occurring in point products through

a common event management system." Applicant submits one would not be motivated to modify Pohlmann so that once intelligible requests from clients are rendered unintelligible. Therefore, even if the cited references disclosed all of the features of the claims as suggested, one would not be motivated to make the combination as suggested.

Applicant submits a prima facie case of obviousness has not been established, and withdrawal of the rejections is respectfully requested. As all of the claim rejections depend upon Pohlmann as discussed above, Applicant submits all of the pending claims are distinguishable from the cited art.

Should the examiner have any questions or comments, or believe there remain issues which would prevent allowance of the present application, the below signed representative requests a telephone interview at (512) 853-8866 in order to facilitate a speedy resolution.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-02600/RDR.

Respectfully submitted,

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